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from certain lands which had been seized under an extent issued against the defendant. The points submitted on the part of the claimant were—

First. That the Statute 33, Hy. VIII., ch. 39, sec. 50, under which the proceedings in the case had been taken, did not extend to the Colonies, and therefore, property in the Colonies was not bound by the King's bond debt from the date of the bond, but only from the time that the debt became a debt of record, either by office found or by *scire-facias*,

Secondly. That if the Statute did extend in any respect to the Colonies, yet it could only make bond debts of the description mentioned in the Statute of the same effect in the Colonies as a Statute Staple of Westminster ; and as a Statute Staple in such Colony could only be evidence of an existing debt to be proceeded upon in the Courts of the Province by action before any execution could issue thereon, and would not bind land in the Colonies till judgment thereon in the Colonial Court was obtained ; so bond debts to the Crown could have no other effect under the Statute than to bind lands from the time they became debts in the Colonial Courts.

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